App F IX 4

194 /

(ML)

File No 119-41

Serial Nos 150, 151

Previous References
hel dep 428/40
hel 41-36-91 92
hel 15-37-89 90 92 94 98
hel 21-28-31 35 13 6
Later References hel 16-41-19 20

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for June 42

SUBJECT

Petition of Major e B Oakley —
Acquisition of land in Triplicane Town Hall

To,

Major e B Oakley
L 11 888 / 23 6 42

Inform that the orders passed
in the matter cannot be reversed

Hard
26 6 '42

Acquisition of lands in Tiptur Kasaba Village

Serial No

Letter no 680 dated 8-5-42 from Major C B Oakley requesting in the circumstances stated to cancel the acquisition of Survey no 357 of Tiptur taluk.

1) The minutes of the Dewan on the P W D "Law Secy for a note with references

(Initld) N M 9-5-42

2) The connected previous references are placed below

3) In the year 1937, the Dy Comr Tiptur Dist submitted proposals for the acquisition of S nos 356 and 357 (This land belongs to Messrs Oakley Duncan and Co) stating that they were required by the Tiptur Town mnd cl for the town extension. As the mnd cl had been acquiring a number of lands, the D C was asked to state if there was any necessity for the acquisition of such large areas. The Dy Comr replied that the acquisition of the lands in question was really necessary and a lay-out plan had been got prepared in respect of the land.

4) It was further explained by

Flag L
M L 11-36-41

Flag O

Flag K
M L 15-37-41

NOTE—Cont Sheet

Acquisition of lands in Tiptur Kasaba Village

ML File No of 194 / General and Revenue Secretariat

Serial No

the Rev Comr in his letter dated 25-8-40 that the lands (i e S nos 35-6 and 35-7) were intended for providing Cottage Sites to the poorer class of people who had suffered by the accidental fire in the year 1934 and as many as 135 applications from such people were pending for want of Sites In these circumstances, preliminary notifications calling for objections in respect of the acquisition were published

Flag N
Rel Dep-42
-40

Flag P

5) On 29-1-42, the Rev Comr forwarded his recommendation to Govt to Sanction the acquisition in question and to waive the conversion fine due on the lands In according Sanction to the acquisition of these lands, the objections preferred by Messrs Oakley Duncan & Co were also examined in the light of the reports furnished by the Local officers who held that their objections were untenable The recommendations of the local officers regarding the suitability of these lands for the town extension had been accepted The Company have urged that if the land

R. P 1

Acquisition of lands in Tepitur Kasaba Village

6795/2

General and Revenue Secretariat | ML File No | of 1941 | [App F III-2

Serial No

is acquired, they should be granted compensation according to law. This aspect of the question is one for consideration by the Land Acquisition Officer. The land acquisition officer will award the compensation amount to be paid to the party. If they feel aggrieved, they may prefer an appeal to a competent Court of law as laid down in the Land Acquisition Act.

6) The connected references and records of the local offices have all been returned to them and those of this office are put up.

16/5/42

7) Of the two alternatives put forth by the Petitioners viz - that the acquisition is not necessary at all or that enough is necessary, suitable compensation should be paid, the first one may perhaps be taken as set at rest in the light of the references quoted above. As regards the other it is a matter between the Acquisition Officer & the party. It is however for orders if the petition may be sent to the D.C. Trichur for a report.

18/5/42

NOTE—Cont Sheet

WD 041 —GPB— 5 000—23-10 41

Petition of Major Oakley — Acquisition of Land - Tipton

File No of 194

General and Revenue Secretariat

Serial No

(i) The points now raised by Mr Oakley in regard to the acquisition of the land of area 2 ac 11 perches are a repetition of those which he had put forward before the Rev- S D O Gubbi & Dy Asst Mysore who heard Mr Oakley and rejected the same. Thereafter he has stated that the contentions are untenable - vide para 5 of the note in Vol 16-41-

The land in question is required for a public purpose viz providing huts to the poorer class of people who had suffered by an accidental fire in the year 1936 in Tipton Town. The question of its acquisition has been under consideration since the year 1937 and the £ 0 finally when the offer was raised on 2/3/Per Flag M

In regard to the amount of compensation which Mr Oakley wants to be given on a higher scale, he should approach the D C Mysore in the matter & if he does not feel satisfied, he should approach a competent Court of Law, as prescribed in the Statute having regard to the above fact, it is for consideration of any action on the request of Mr Oakley is now called for

Law Secy) Sd 18/3/Per

GOVT LAW DEPT 4464

(ii) The D C will please

Petition of Major Oakley – Acquisition of lands – Tiphon Tank

6745/1

General and Revenue Secretariat — File No — of 1941 — [App F III-2

Serial No

The compensation to the party is not satisfied a reference will be made to District Court no action is called for

Mins Def
2 S G
Dewan

16-5-42

1) Submitted with a draft letter to Major Oakley

2) Submitted

3) The letter may be replied to suitably

4) Submitted with a draft letter to Major Oakley

5) Submitted

6) Submitted

OFFICE OF THE MINISTER FOR L S G & P H
Date 19-5-1942
No 2307

SECT DEPT
20 MAY 1942
GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H
Date 19-6-1942
No 7921

SECRETARIAT
22 JUNE 1942
GEN & P DEPTT

NOTE—Cont Sheet

WD C4155—GPB— 5 000— 3 10 41

File No 119 67951 of 1941

General and Revenue Secretariat

Serial No

To

Major C B Oakley V D
Cantonment G P O
Bangalore -

No II 888 d 23-6-42 | 157

Informs that the orders passed in the matter cannot be revised

B
24/6
25

MAJOR C B OAKLEY, V D
AMIME &MIM &ME

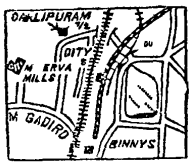
TELEGRAMS MINERALS

CODES
A B C 5TH EDITION
BENTLEYS PERFECT PHRASE CODE
UNIVERSAL TRADE CODE

MINES
SUNKADHALLI HASSAN
SIVAGANGE CHITTALDROOG
KANKAVALI RATNAGIRI
ESTATES
ABALTHI PERIYAPATNA
TIGER HALL
AIYARBID
SEEGAY HOSUR (FIBRE)
FRASERPET N COORG
SINDUVALLI (FARM) KADAKOLA MYSORE
BECKFIELD (FIBRE) ANANTAPUR DIST

HEAD OFFICE & WORKS
OAKLIPURAM
ADJOINING
B NGALORE CITY RY STATION N

Postal Address —
G P O



Bangalore 8th May, 1942

680.

SECY LAW DEPT 9 MAY 1942 COVT OF MYSORE

67957 M 128
Re 119-41-Gen.

Rajamantrapravina
N Madhava Rao, B A ,B L ,
Dewan of Mysore,
B a n g a l o r e

Dear Sir,

Law Secretariat Notification No L 2499
M1 16-40-16 dated 25th September 1940
and land acquisition proceedings thereunder
Survey No 357 of Tiptur taluk.

I wish to bring to your notice a case which I feel is full of injustices About 20 years ago we purchased 2 acres of land in the open market and we paid some Rs 400 for it, representing about Rs 200 an acre We were asked to pay building fine some ten years later and we did so at the rate of Rs 500 an acre Although there are acres and acres of land adjoining Tiptur station that could fulfil the requirements of the Tiptur Municipality, they have definitely settled on acquiring our two acres. We gather the sum proposed to be paid does not bear any relation to the surrounding values of land nor is it commensurate with the fact that we have paid taxes and building fines during the period We have appealed and put all these facts before the Government but the wishes of the Municipality have been recognised in preference to our objections. Our case is that there is no need to acquire this land at all and if acquired, compensation should be granted according to Law

Examined by

We feel an injustice will be done to us which has never happened and been unredressed during my 45 years' residence in this State. I therefore make a special appeal to you to give the matter your personal consideration and if possible cancel the acquisition, and leave us in possession of this small area of land which is proximate to our 12 acres of land inthe adjoining village and for which we have a scheme at no distant date to put into effect.

I have the honour to be,

Dear Sir,

Your most obedient servant,

C. A. Cullen

Hon. Sec.

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 23/6/42

Signed by Mr G R Rao

List of enclosures

Copied by

Examined by

Section Ml

File No 119-41

Serial No 151

No L 11888

To

Major C B Oakley V D
A M I M E & M I N E R A L
Oakleypuram G P O
Bangalore

Dear Sir

With reference to your letter no 680, dated the 8th May 1942, addressed to the Dewan, regarding the acquisition of S no 357 of Jalahalli taluk, I am directed ~~directed~~ to state that the matter was re-examined and it was found that the orders of Govt sanctioning the acquisition of the lands in question are strictly in

accordance with law

With regard to the
payment of higher compensation
for the land acquired, your attention
is invited to Sec 18 of the Land Acquisition
Act wherein it is provided that
those who do not accept the award
of the Land Acquisition officer may
apply to the by Court of the Dist, for
the determination of the Court and you
may proceed under the provisions of
the said section, in case you do not consider
the compensation awarded to you to be
adequate

In these circumstances
it is regretted that the orders passed
in the matter cannot be revised

I have etc

for Secy to Govt
Law Deptt